

The Mountain Advocate.

Official Organ of the Republican Party in Knox County.

New Series: Vol. 2. No. 24.

BARBOURVILLE, KENTUCKY, FRIDAY, MARCH 14, 1913

Old Series: Vol. 17. No. 24.

ACTING GOVERNOR SAYS NO SESSION

In Absence of Gov McCreary, E. McDermott Gives Out Statement Opposing Plan To Convene Legislature in Extra Session and Giving Views of State Conditions.

Says Time is Not Now Opportune.

Frankfort, Ky., March 7.—Political complications now would greatly impair the progress and usefulness of a special session of the Legislature, is the opinion of Acting Governor E. J. McDermott. When asked what he thought of a special session the Acting Governor said that he was of the opinion that the time was not opportune, and that the cost of a session would be too heavy, considering the financial of the State.

In an interview requested of him today regarding an extra session of the Legislature and the financial condition of the State, the Acting Governor took occasion to defend the last General Assembly, which he says is being criticized now for political reasons. He said:

"I tried to help Governor McCreary in his effort to keep the apportionments within reasonable bounds, even when some of the pungent people and newspapers of the State were clamoring for apportionments two or three times as large as those finally passed. Many of those who wanted higher apportionments are now silent when the Legislature is being criticized because it did appropriate money for various purposes, then, and still, very popular and loudly advocated.

"That is what makes the position of a member of the Legislature so disagreeable to many good men and why they shrink the service. They are urged and persuaded to be progressive and to give public money liberally for popular measures, and, when their work is later criticized, the men who urged the gift are silent. When the Legislature adjourned last year everybody agreed that the great majority of the members had been industrious, careful, progressive and honest. Now, for political reasons, their work is criticized."

"There is certainly need of economy in State affairs. Some of our public institutions are costing too much, and they have too little restraint. With a tax rate of 50 cts, which has not been increased for many years, with the assessment of the State's property not higher than formerly, in spite of the universal rise of prices and with increased appropriations and for the farming interests and other interests that the people have been favoring, it is plain that there must be an improvement in the method and rate of assessment of all our property and in the computation of the needs of the State each year in advance and in the methods of starting and exhibiting for the Legislators and the people the resources and expenditures of each year.

"The Governor and the State officers and some of the ablest, most unselfish men in the Commonwealth must carefully work out a better budget system for the future. The present system of assessment is wholly inefficient as the present returns clearly show. The fact that the total assessment of the State's property has lately fallen, while our population has increased and prices have rapidly risen, makes the absurdity of the present system clear.

"It seems to me that this is not an opportune time for an extra session. It is either too late or too soon. The cost of the session at this time would be heavy. The Legislature usually costs from \$1,000 to \$1,300 a day, and the mileage is heavy. We should not lightly spend that money at present.

"A definite, sound financial system must be worked out carefully before the Legislature is called to act.

"There have been only four special sessions of the Legislature in forty years. They are sometimes needed, but only for grave reasons. Political complications now would greatly impair the progress and usefulness of a special session. If subsequent events should make such a session seem necessary at later date, I should frankly change my opinion. I am now studying our financial affairs to be able to form a safer opinion, but it is not an easy problem, nor is it to be quickly settled."

State Prepared to Fight White Plague

FRANKFORT, Ky., March 10.—The Kentucky Tuberculosis Commission is organized, ready for work, said Secretary Ray Frenc today.

"There is plenty of work to be done. Kentucky stands either first or second among the States in its death rate from tuberculosis. One-seventh of the citizens die of this disease, (13,082 in 1908-09). The average for the United States is about one death in eleven.

"Tuberculosis is no longer a problem for the doctors. The profession knows all the facts essential for combatting the disease as it affects individuals. It is now a problem of communities and a problem of prevention. Two things are now necessary in fighting the disease. One is that every person shall know the simple facts about the cause, cure and prevention of consumption. The other is the supply by communities of the necessary hospitals, nurses and medical attention for sufferers, in order not only to cure the individual, but also to prevent the spread of infection through ignorance or prevarication.

The commission will undertake a vigorous campaign through exhibits, lectures and otherwise. Definite information regarding local problems is asked and all possible assistance will be given.

The Commissioners are: Governor James B. McCreary, President; Mrs. Desha Breckinridge, Vice-President; Miss Tevis Camden, Dr. U. V. Williams, Dr. Everett Morris, Dr. H. S. Keller, Dr. R. T. Yoe, Bernard Flexner.

ADVERTISEMENT

FEDERAL BUILDING SITES.

TREASURY DEPARTMENT,
Office of the Secretary.

Washington, D. C., Mar. 11, 1913
Proposals are hereby solicited, to be opened in the Office of the Supervising Architect, Treasury Department, Washington, D. C., at 10 o'clock A. M. on April 2nd, 1913, for the sale or donation to the United States of a corner lot, centrally and conveniently located and suitable for a Federal building site at Barbourville, Kentucky. The site must be approximately 16,000 square feet in area, and if the lot offered is rectangular, its minimum dimension must be not less than 115 feet.

Upon application the Postmaster will supply prospective bidders with a circular giving particulars as to requirements and instruction for preparation of bids and data to accompany same.

W. G. McADOO,
Secretary.

IGNORE THE WEBB LAW

Mr. Sommers Thus Sets Forth the Adams Express Co.'s Position.

Still Shipping Liquor.—South Carolina and The Dry Counties of North Carolina Only Excepted.

ADVISED BY ATTORNEYS.

"We intend to pay no attention whatever to the Webb law," said Mr. A. C. Sommers, local agent of the Adams and Southern Express Companies, "as far as the Adams Express Company is concerned. We shall continue taking consignment of liquor and shipping them to their destination, unless the destination be South Carolina or one of the dry counties of North Carolina.

"We make this exception because of a telegram received from the Southern Express Company, which says that it will not carry shipments of liquor to these two places.

"The local dispensary laws in South Carolina have caused some difficulties which were insurmountable in that field."

"We are taking this stand on advice of the general counsel of the Adams Express Company, Mr. Law Maxwell, of Cincinnati. Mr. Maxwell is also the counsel for the Mail Order Liquor Association."

Must Deliver Booze to Consignee

Chief Justice Gary of the South Carolina Supreme Court, has signed an order requiring the Southern Express Company to deliver a package said to contain liquor to D. F. Collicutt, the consignee, in Columbia, S. C. It is possible that the case may be taken to the Supreme Court of the United States to test the validity of the Webb law.

Under the law the express company claimed it could not deliver in South Carolina and it held up a shipment to Collicutt. Chief Justice Gary's order may be applied to the other express offices in this State, especially in "dry" counties, which have refused to deliver liquor.

SENATOR JAMES HAS PATRONAGE

Is Certain to Get Desirable Committee Assignments and State Appointments May Also be Left to His Recommendation.

Washington, Mar. 10.—Ollie M. James, Kentucky's new Senator, is certain to get first-class committee assignments under the new dispensation, which has brought progressive Democrats to the fore in the Senate. It is safe to say that he will go on either the Finance Committee or the Judiciary Committee.

The Finance Committee has jurisdiction of tariff legislation and it is particularly fitting that Senator James should belong to it, his friends say, because of his former service on the Ways and Means Committee, which is the tariff framing committee of the House. He probably will know his fate as to committee assignments within a few days.

This being true the chance of Dr. E. B. Dishman, of this city, landing the collectorship seems to be increased, for Dr. Dishman stands well with Senator James and is making his fight altogether through "Big Ollie."

PENSION WARRANTS

State Law Department Doubts Constitutionality of the Act and the Matter Will Be Put Up To the Courts

FRANKFORT, Ky., March 10.—State Auditor Bosworth was advised in an opinion by Assistant Attorney General Charles H. Morris that there is sufficient doubt about the constitutionality of the Confederate pension act to justify the Auditor in refusing to issue warrants for pensions until the courts directed it to be done.

Some days ago the Auditor wrote the Attorney General stating that his bondsmen had raised a question as to the validity of the act, and that while he was in heart sympathy with the purposes of the act, he wanted a ruling on its validity before issuing any warrants under it. In response to this the opinion today given the Auditor, which is fourteen pages long, points out in detail the parts of the act which might prove vulnerable should the act be attacked on the grounds of constitutionality.

It says that it may reasonably come under the head of "class legislation," as it divides the indigent, disabled and poor citizens of the Commonwealth into two sets, one of which may receive attention and the other may not.

Section 3 of the Bill of Rights is referred to, which says:

"No grant of the exclusive, separate public emoluments or privileges shall be made to any man or set of men except in consideration of public services," and says the pension act comes very close to being a grant of public emolument to a set of men and is legislation in favor of a class.

The opinion says the Constitutions of some Southern States that grant pensions to Confederate soldiers make provision for such pensions, and the Constitutions in the other States granting such pensions do not contain the restrictions that are in the Kentucky Constitution. A number of cases bearing on the points raised are cited. The opinion concludes as follows:

"For our part, we would be glad indeed, if the few remaining veterans, these old heroes of the Confederate army, could draw the small stipended the Commonwealth has allowed them without any question but we feel safe in saying that there is not one among the entire number, patriotic as he is and as he must be who would for one moment think of taking from the Commonwealth one penny, even though it stood between him and starvation, unless that penny came to him legally.

"And in strict conformity to the organic law of the State and to this end, they ought to and no doubt will welcome a judicial determination of the validity of the act by the court of last resort, and if there should be expressed the least doubt as to the constitutionality it should be tested, and we do say there is sufficient doubt to justify you in refusing to issue warrants until the courts direct that you should."

Nothing definite is known yet as to when a test case will be filed, but some one or more of the prospective pensioners probably will file the suit within the next few days.

Information was received at the Auditor's office to the effect that General Bennett H. Young of Louisville, who will represent one or more pensioners, will, in the next few days, file a suit in the State fiscal court at Frankfort to test the

\$104,429.91

IS THE GAIN MADE BY THE
First National Bank
In the last two years
and two months.

The assets of a bank is what it owns in the way of money, real estate, Government bonds, &c.

The assets of our bank now are: **\$258,070.20**

The resources of our stockholders are more than **\$1,000,000**

This is a U. S. Depository.

Pays 3% Interest On

TIME DEPOSITS.

FIRST NATIONAL BANK

Barbourville, Kentucky

constitutionality of the Confederate pension law. This action follows the opinion of the Attorney General which stated that there was grave doubt as to the validity of the act, and advising the Auditor not to pay warrants without a court opinion.

and Sunday. Her many friends were all pleased to see her.

Joe Cottongim and Miss Martha Gilbert were visiting in Woolum last Sunday. Joe was all smiles since he has his best girl back in line.

SPRUE SAYINGS

(By Paul.)

Flossie Cole, of Barbourville, came in home Saturday.

Sidney Hubbard, of Cranenest, was in Sprue this week.

Walter Cory, who has been very ill, is improving this week.

Henry Cobb, of Woolum, was in Sprue this week on business.

James Stubblefield made a business trip to London this week.

Jackson Tedders and wife were visiting at J. R. Cobb's Sunday.

John Cobb, of Hectar, Clay county, was on Goose Creek this week.

Rev. John Warren, of Girdler, attended Church at Bull Creek last Sunday.

Misses Otis Riley and Cora Burgess attended Church at Bull Creek last Sunday.

Joe Cottongim and Martha Gilbert, of Woolum, were visiting on Bull Creek last Sunday.

WOOLUM NEWS.

(By Blue Eyes.)

Miss Eva Blevins was visiting on Bull Creek last Sunday.

Henry Cobb visited his cousin, Bill Cobb, last Sunday.

Gilbert Cobb and Miss Cora Burgess, were among our church goers last Sunday.

A large crowd attended Bull Creek Church last Sunday, and all report a very pleasant time.

Misses Maggie and Matilda Blevins visited Mrs. Boyd Cobb Saturday night. Both report a very pleasant time.

Quite a crowd of boys and girls visited the family of Boyd Cobb last Sunday, and all report a very pleasant time.

Miss Flossie Cole, of Barbourville, was visiting homefolks, Saturday

SCALF NEWS

(By March Wind.)

Born, to the wife of Finley Mills, a fine girl.

Columbus Mills returned home from London one day last week.

Mrs. Lizzie Mills, wife of James Mills, is on the sick list this week.

T. G. Hammons made a business trip to Barbourville, last Wednesday.

Miss Lillie Mills was the guest of Misses Mary and Nancy Mills, last Sunday.

Farming is grinding slowly in this section of the county on account of the weather.

Dan W. Hubbard was the guest of Pleasant Mills and family, Saturday and Sunday.

Nashy Mills, son of T. J. Mills, returned from college this week on account of sickness.

The man that is elected Magistrate in this district will be the man that defeats Uncle Tom Mills.

Pleasant Mills has bought himself a pair of willow goats, preparatory to going into the logging business.

Jeff Mills has obtained a job from Gus Walker to carry the mail for Uncle Sam, and made his first trip Thursday.

Uncle John Gambrel found a bee tree and had his hive made and had asked a number of his friends to the bee tree cutting, but was greatly surprised when he went, to find his tree cut, the parties taking all the honey.

SECRET LOCK.

If you have several small drawers in a bookcase or desk you can lock one of them in a manner most difficult to discover by boring a hole through the piece between two of the drawers and into the drawer. Fit a peg into this just tight enough not to slip down, and the drawer cannot be opened until the one above it is pulled entirely out to give access to the peg.